

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10003 of 2015

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Mahesh Prasad Singh son of Yamuna Singh, resident of Village Shyampur
Erajee, P.S. Bidupur, District Vaishali

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Chairman, Bihar State Power Holding Co. Ltd, Patna.
3. The Chief Engineer, Tirhut Region, Department of Electricity, Muzaffarpur.
4. The Executive Engineer, Supply Division (Rural), Hajipur.
5. The Superintending Engineer, Supply Division (Rural), Hajipur.
6. The S.D.O. Supply Division (Rural), Hajipur, Vaishali.
7. The Assistant Engineer, Bidupur, Hajipur, Vaishali.
8. The Certificate Officer, Vaishali at Hajipur

.... Respondents

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Appearance :

For the Petitioner	: None
For the State	: Mr. Sumant Kumar Singh, AC to GA 2
For the NBPDC	: Mr. Vinay Kirti Singh, Sr. Advocate
	Mr. Vijay Kr. Verma,
	Mr. Akhileshwar Singh, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-08-2018

None appears on behalf of the petitioner despite repeated calls.

2. The present writ petition has been filed for the following reliefs –

“(i) To quash the notice dated 27.03.2015 issued by Certificate officer, Hajipur, Vaishali.

(ii) To return the entire money Rs. 1,58,685/- paid on 19.04.2013 in certificate case no 12/09-10.

(iii) Any other reliefs for which the petitioner is entitled for.”

3. It has been stated in paragraph 11 of the writ petition that the son of the petitioner appeared before the Certificate Officer,



requesting that an amount of Rs. 1,58,685/- be accepted against the dues and an undertaking was given for depositing the amount of interest of Rs. 68,235/-by May, 2013.

4. Learned counsel for the respondent-Power Company invites reference to paragraph 11 of the counter affidavit, according to which a sum of Rs. 68,235/- has been demanded as interest on the certificate amount. It is submitted that the petitioner having failed to make payment of the dues, further action by issuance of body warrant was taken against the petitioner and he was released on the bond executed by the petitioner’s son after making payment of the interest amount which, however, was not paid.

5. Having regard to the stand of the respondents in the counter affidavit with regard to non-payment of interest amount of Rs. 68,235/- despite the bond executed by the petitioner’s son which is not in dispute and no rejoinder thereto has been filed on behalf of the petitioner, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	31.08.2018
Transmission Date	N.A.

